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### *Duty of Care and Responsibility for Supervision at Patterdale Hall*

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Modern language and Health and Safety Law has superseded phrases like “loco parentis” and therefore it is important to be clear over “**Duty of Care**” and “**Responsibility for Supervision**” at different times throughout visits to Patterdale Hall.

#### **Definitions**

***Duty of Care:*** Taking reasonable care to avoid acts or omissions, which can be reasonably foreseen as likely to injure anyone that they ought reasonably to have consideration for. The law does not expect perfection or even best practice but simply reasonable care, or behaviour in accordance with that expected of an averagely responsible person or fellow professional.

***Responsibility for Supervision:*** The person or people overseeing, managing behaviour and looking after the pastoral needs of the students.

#### **In practice!**

Both visiting school leaders and the Patterdale Hall staff have a joint **duty of care** for young people on the visit. The relevant portions change during specific times of the day, during activities, meals, non-programmed time and overnight etc. Even during activities, visiting leaders in attendance have a right to suspend the session if they are uncomfortable or unhappy as they have the primary duty of care over the young people.

There will be a handover of students before and after activity sessions between visiting leaders and Patterdale Hall staff. Patterdale Hall staff are **responsible for supervising** those students taking part in activities and visiting leaders are **responsible for supervising** students at all other times including meals times, free time and overnight.

#### **How this division is made clear?**

The written programme for the course will show the various times of the day where responsibility changes hands. This is agreed in writing prior to the date of the course. This is reinforced in the welcome talk to the whole group and in the initial meeting with visit leaders. The programme is displayed on the notice board at Patterdale Hall.

The visiting leader information pack will echo this information and it forms part of the “Risk Management Summary”.

#### **Further information and support?**

The employer has a responsibility to ensure that these distinguished roles are made clear. Most schools will have an “Educational Visits Coordinator” and will delegate a competent “Visit Leader” with overall responsibility for the visit and other leaders on behalf of the school. Further advice is usually available from the schools’ chosen advisory service and National Guidance can be found on the OEAP website <http://oeapng.info>

Patterdale Hall staff are happy to discuss or explain any aspect of this.